

**FEE SCHEDULE
FOR
IRRIGATED AGRICULTURAL
DISCHARGE WAIVER**

SENATE BILL 390

- **Signed into law October 6, 1999**
- **Requires RB's to:**
 - **Review Existing Discharge Waivers;**
 - **Renew as Conditional Waiver or Terminate Waiver and Cover the Discharge with WDR;**
 - **Enforce**
 - **Renew/Terminate every 5 years**

IRRIGATED AGRICULTURAL DISCHARGE WAIVER

- **Fiscal Year 2004-2005 State Budget includes \$3.1 Million for:**
 - **\$1.9 M for staff (22.3 positions)**
 - **\$1.2 Million in one-time funding for contract support**

LEGAL AUTHORITY AND REQUIREMENT FOR COLLECTING FEES

- **Legislative mandate to issue fees**
- **California Water Code provides Legal Authority to collect annual fees**
- **State Board will consider Fee Schedule options**

FACTORS CONSIDERED FOR FEE SCHEDULE DEVELOPMENT

- **California Water Code Factors for Fee Development**
 - (i) Size of Operation.....
 - (ii) Compliance Cost.....
 - (iii) Water Quality Monitoring Cost
 - (iv) Group Participation.....

FEE SCHEDULE OPTIONS

- **OPTION 1 Based on threat to Water Quality**
 - Based on threat to WQ from the grower's discharge. Risk factors used to determine threat and categorize grower. Include crop type; management measures implementation, pesticide use, site characteristics, and amount of discharge.
- **OPTION 2: Fee Based on Acreage**
 - Based on the number of acres a grower has.
- **OPTION 3: Flat Fee Per Grower**
 - Each grower would be charged the same amount per farm operation.

PROPOSED FEE SCHEDULE

- For individual farms:
 - base fee of \$100 plus a \$0.30 per acre fee.
- For coalitions managing fee collection and payment:
 - fee is \$100 per coalition plus \$0.15 per irrigated acre within the coalition area.
- No fees for farming less than 5 acres

HOW FEES ARE CALCULATED

- For individual farms:
 - Assumed that 6,500 growers will submit fees individually.
 - Assumed that for these farms, 700,000 acres are subject to the fee surcharge.
 - Fees collected = $(6,500 * \$100) + (700,000 * \$0.30)$
= \$860,000
- For coalitions:
 - Assumed that there are eight coalition groups that include 7,000,000 acres.
 - Fees collected = $(8 * \$100) + (7,000,000 * \$0.15)$ = \$1,050,800
- Total = $\$860,000 + \$1,050,800 = \$1,910,800$

GROUP DEFINITION

- **Region 5 Coalition Group:**
- **A Regional Board approved group that forms on behalf of dischargers to comply with the California Water Code; Regional Board Plans and Policies; and Conditional Waivers as adopted by the Regional Board. A Coalition Group may include, but not be limited to, water districts, agricultural associations, County Agricultural Commissioners, local growers, commodity groups, and other industry representatives. In order to receive Regional Board approval, the Coalition Group must submit a Notice of Intent and a complete technical report and receive a Notice of Applicability that has been issued by the Executive Officer.**

GROUP DEFINITION

- **Region 4 Discharger Group Definition**
- **A discharger group is any group of dischargers and/or organizations that form to comply with this Waiver. Discharger groups can be, but are not limited to, organizations formed on a geographic basis or formed with other factors in common such as commodities.**
- **The formation, operation, and funding of discharger groups are the responsibilities of the local entities and/or individual dischargers who are represented by the discharger group.**

GROUP DEFINITION

- **Region 3 Cooperative Monitoring Group**
 - *Awaiting information*

PROPOSED SCHEDULE for FEE ADOPTION

- State Board Adoption.....May 2005
- Issue Invoices.....September 2005

OTHER OPTIONS?